

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

BUFFALO XEROGRAPHIX, INC., for itself
and on behalf of a class of similarly situated
policyholders,

Plaintiff,

—against—

SENTINEL INSURANCE COMPANY, LTD.;
THE HARTFORD INSURANCE GROUP
a/k/a THE HARTFORD FINANCIAL
SERVICES GROUP, INC.;
HARTFORD FIRE INSURANCE
COMPANY;
HARTFORD ACCIDENT AND
INDEMNITY COMPANY;
HARTFORD CASUALTY INSURANCE
COMPANY;
HARTFORD INSURANCE COMPANY OF
ILLINOIS;
HARTFORD INSURANCE COMPANY OF
THE MIDWEST;
HARTFORD UNDERWRITERS
INSURANCE COMPANY;
NEW ENGLAND INSURANCE COMPANY;
NEW ENGLAND REINSURANCE
CORPORATION;
PACIFIC INSURANCE COMP ANY,
LIMITED;
PROPERTY AND CASUALTY
INSURANCE COMPANY OF HARTFORD;
TRUMBULL INSURANCE COMPANY; and
TWIN CITY FIRE INSURANCE
COMPANY,

Defendants.

**NOTICE AND MOTION TO
DISMISS**

Index No. 20-CV-520 (GWC)

MOTION BY:

Defendants The Hartford Insurance Group a/k/a The Hartford Financial Services Group, Inc., Hartford Fire Insurance Company, Hartford Accident and Indemnity Company, Hartford Casualty Insurance Company, Hartford Insurance Company of Illinois,

Hartford Insurance Company of the Midwest, Hartford Underwriters Insurance Company, New England Insurance Company, New England Reinsurance Corporation, Pacific Insurance Company, Limited, Property and Casualty Insurance Company of Hartford, Trumbull Insurance Company, and Twin City Fire Insurance Company (“Defendants”) for their answer to the Complaint of Plaintiff Buffalo Xerographix, Inc., by their attorneys, Steptoe & Johnson LLP and Tully Rinckey PLLC.

RELIEF REQUESTED: Defendants respectfully request:

- (a) An Order, pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure (“FRCP”) dismissing the Summons and Complaint as against Defendants for lack of personal jurisdiction;
- (b) An Order, pursuant to FRCP 12(b)(6) dismissing the Summons and Complaint for failure to state a claim upon which relief can be granted;
- (c) Such other and further relief as this Court may deem just and proper, including costs, disbursements and reasonable attorneys’ fees on this motion.

SUPPORTING PAPERS: Notice and Motion
Memorandum of Law

LOCATION: United States District Court
2 Niagara Square
Buffalo, NY 14202

TIME AND DATE: To Be Scheduled By the Court

OPPOSING PAPERS: Defendants reserve the right to file and serve reply papers. As a result, the plaintiff is required to file and serve opposing papers at least fourteen (14) business days prior to the return date of this motion.

Dated: July 1, 2020

Sarah D. Gordon*
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**pro hac vice* application forthcoming

Respectfully submitted,

By: /s/ Eugene Welch
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Counsel for Defendants